

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

EVERYTOWN FOR GUN SAFETY  
ACTION FUND, INC.,

*Plaintiff*

v.

DEFCAD, INC.; ODYSEE USER  
XYEEZYSZN; DEFCAD USER  
XYEEZYSZN; ODYSEE USER  
THEGATALOG-  
PRINTABLEMAGAZINES; THE  
GATALOG; DEFCAD USER  
FREEMAN1337; TWITTER USER  
XYEEZYSZN; PHILLIP ROYSTER.

*Defendants*

Civil Action No. 1:21-cv-08704-PGG

ORAL ARGUMENT REQUESTED

**NOTICE OF MOTION TO FORMALLY JOIN THIRD  
PARTY MOTION OF TWITTER, INC. FOR VARIOUS  
RELIEF REGARDING ORDER OF NOVEMBER 5, 2021**

PLEASE TAKE NOTICE that Defendants Defcad, Inc, Defcad User xYeezySZN, Odysee User xYeezySZN, Twitter User xYeezySZN, The Gatalog, Defcad User Freeman1337, and Phillip Royster (“Moving Defendants”) hereby move this Court at the United States Courthouse, 40 Foley Square, New York, New York 10007 to formally join the Third Party Motion of Twitter, Inc. docketed at ECF No. 44 seeking relief as to the Court’s Order date November 5, 2021(“Twitter’s Motion”).

Although Moving Defendants previously joined Twitter's Motion by letter dated November 29, 2021 (ECF No. 45), Moving Defendants file the within Motion merely to formalize and formally docket their joining of Twitter's Motion.

Moving Defendants rely on the submissions docketed at ECF No. 44, 45, and 59 in support of their Motion.

Moving Defendants seek the same relief vis-a-vis all third party service providers that Twitter, Inc, seeks for itself. Moving Defendants also seek the same relief as to Defendant Defcad, Inc., as Defcad, Inc. is specifically named in the November 5, 2021 Order.

Oral argument is requested.

Respectfully submitted,

/s/ Daniel L. Schmutter  
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DATED: December 6, 2021